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EXAMINER

MOE, AUNG SOE

ART UNIT PAPER NUMBER

2612

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/324,249

Applicant(s)

KNOWLES, ANDREW THOMAS

Examiner

Aung S. Moe

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 13 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-11,13-21 and 23-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 34,36 and 37 is/are allowed.
- 6) ☒ Claim(s) 1-6,8-11,13-21,23-33 and 35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on 9/13/2004 have been fully considered but they are not persuasive.

Regarding claims 9, 10, 16, 17, 29, 33 and 35, the applicant alleged (i.e., see the page 16 of the remarks) that Ward '215 shows a configuration files shown in Figs. 4A and 4B are a phone number but no address for a destination server, and the therefore do not disclose a connection directly to a server at a particular address as recited by claim 9.

In response, the Examiner disagrees because if there is no address for a destination server as alleged by the Applicant, then the communication cannot be established between the camera (10) and the remote server selected by the user when the user chooses communication Icon at step 52, and this is not true in this case. As shown in Figs. 3 and 4, the network configuration file are store in the memory (28/30) of the camera to established the communication between the camera and the remote server. For example, the network configuration file normally contains more than a phone number. In this case, the network may use TCP/IP for an Internet access, thus, an address (i.e., **IP address** or Service provider address or e-mail address) associated with a remote server (i.e., Internet provider) must be provided to established the communication between the camera and the remote server. Furthermore, if the user wanted to e-mail the captured image by using "utilization" file which normally contain an **e-mail address** of the specific recipient/service provide is also stored in the memory 28/30 of the camera as discussed

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in page 2. In view of this, an address associated with a remote server must be included in the communication system of Ward '215.

In particular, Ward '215 explicitly stated in paragraph 0014, line 16+, that "a list of images to be e-mail to various recipients, is written into the "utilization" file." In view of this, it is cleared that such list of recipient codes (i.e., the list of e-mail for various recipients) must be display on the LCD 24 for allowing the user to select. In fact, the selected image can be tagged with a **code** (step 56) in response to the selecting of one of the **keywords** or **icons** from the menu 54 display on the LCD 24. Therefore, it is cleared that the memory (28/30) of the camera must includes a recipient code in the configuration table file shown in Fig. 4 in order to provide the "utilization" file, Keywords or Icons as shown in Fig. 2 to establish the communication between the camera and the remote server.

As for claim 16, the Applicant alleged that Ward '215 does not discloses the method for transmits a message to a remote system associated with a predetermined address which is not user-selected.

In response, the Examiner disagrees because claim 16 is not limited to how "a predetermined address" has been selected (i.e., either by a user or without a user). In view of this, "transmitting a message to a remote system associated with a predetermined address" could read on the transmitting a message to a remote system (14) associated with a predetermined address stored in the network configuration file as shown in Figs. 2 and 4 of Ward '215.

Furthermore, the Applicant alleged that Ward '215 does not disclose a connection with a wireless network. In response, the Applicant's attention is direction to the RF cellular phone

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network, or Ethernet and Satellite network as shown in the element 54 of Fig. 2 as disclosed by Ward '215.

Regarding claim 29, the Applicant alleged that Ward '215 clearly discloses in Fig. 2 that the images are captured (step 50) not after but prior to the send button request (Step 58). Thus, the timing of steps in the method claim 29 is allowable over Ward '215.

In response, the Examiner disagrees because in step 58 and 59, Ward '215 clearly allow the user to stored the image/data in memory or later transmission/viewing. Thus, the second user input at the claimed step (d) can be considered as when the user is activating the camera for a second time from the step (50) after the step (59 or 64)(i.e., clearly, the user input after steps 59 and 64 is considered as second user input). At the second image capturing process, the user can select "send" in the steps (58) and the claimed steps (d)(2)(3) is performed by Ward '215 as shown in Fig. 2. In view of this, the images can be captured after the selecting of address data by the user in the first operation of steps (50, 52, 56, 56, 58 and 59) respectively.

As for claim 33, the Applicant alleged that Ward '215 does not store data corresponding to a selected recipient, and then distribute this data, with the next image formed by the digital camera, to a network computing device.

In response, the Examiner disagrees because it is cleared form Fig. 2, when the user select and tag the capture images with a specific ICON (i.e., Tag Image with Cellular Request in steps 56) during the first image capturing process and doe not select "send" in step (58), then such Tag data are stored in the memory (28/30) respectively; and when the user restart the step (50) for a second time to generated the next image formed and selecting "send" in step (58). After that, it would allowed the user to select and distribute one or more image files which

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contain the specific data (i.e., Tag Icons stored during the step 59) to a networked computing device for appropriately routing the image packet to the intended remote server.

Regarding claims 21, the Applicant alleged that Parulski '808 does nothing of transmitting a message to a predefined remote server.

In response, the Examiner disagrees because the image data from the camera (12) is transmitted to the service provide (14) by using the utilization file organization as shown in Fig. 4. This utilization file clearly contains "address", such as E-mail addresses, of the predefined remote server (14).

Regarding claim 23, the Applicant alleged that Parulski '808 does not discloses the steps of selecting one or more recipients corresponding to a code and sending a message to the selected recipients.

In response, the Examiner disagrees because Parulski '808 clearly shown the use of LCD display 24 and the user' interface (26) for selecting a specific e-mail recipients group (i.e., see paragraphs 0022 and 0023) to a code (i.e., the account information code) and sending a message (i.e., E-mail) to the selected recipients (i.e., see paragraph 0023).

Regarding claims 25 and 26, applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "an image filed may be assigned a unique file name, including the account ID, recipient code, . . . , to the server 104") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

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Regarding claim 32, the Applicant alleged that Squilla '537 never discloses or teaches that it would be beneficial to transfer preference/personality data from the server to the rental device."

In response, the Examiner disagrees because Squilla '537 clearly shown in Figs. 4 and 6 that the personal data from the server (70) can be transfer to the rental device (24/26). More specifically, Squilla '537 discloses in col. 9, lines 5+ that the preference/personal data of the rental device (26) is updated by the personal data stored in the data base (86) of the server (70) respectively. In view of this, the rental device (24/26) can request the personal/preference data from the server (12/86; see col. 6, lines 40-45) for updating.

Regarding claim 1, the Applicant alleged that it would not have been obvious to apply cell phone technology from Korpela '283 to a digital camera system as described by Safai '469. In response, the Examiner disagrees because it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Safai '469 clearly suggested the use of Wireless communication links in the digital camera system in col. 18, lines 5-10. On the other hand, Korpela '283 teaches the conventional wireless communication system for establishing a persistent link between the RF communication device (20) and the remote system network (i.e., noted the service provider network base stations as shown in the Cellular networks communication) when the apparatus is first activated and thereafter whenever the processor (75) detects that the external networks is not available (i.e., see Figs. 6, steps 101-109; col. 6, lines 55- col. 7, lines 15). In view of this, the

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Examiner continues to asserts that it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Safai '469 as taught by Korpela '283 so that it would provide better communication that best matches the user profile and terminal capability as suggested by Korpela '283 (i.e., see col. 4, lines 24+).

In page 28, the Applicant alleged that there is no suggestion or motivation in either of the cited references (i.e., Safai '469 and Korpela '283) that would result in such a combination.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either **in the references themselves or in the knowledge generally available to one of ordinary skill in the art.** See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Safai '469 clearly suggested the use of Wireless communication links in the digital camera system in col. 18, lines 5-10; and Korpela '283 suggested in col. 4, lines 24 that such a modification would provide better communication that best matches the user profile and terminal capability.

In view of the above, the Examiner continues to be of opinion that one skilled in the art at the time of the invention was made would have been prompted to combine the cited references for at least the reasons as discussed above.

Regarding claims 27 and 28, the applicant alleged that there is no suggestion or motivation in either of the cited references (i.e., Ward '215 and Korpela '283) that would result in such a combination.

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In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either **in the references themselves or in the knowledge generally available to one of ordinary skill in the art**. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Ward '215 clearly suggested the use of RF cellular communication links in the digital camera system in page 1, paragraph 0012.

On the other hand, Korpela '283 teaches the conventional wireless communication system (i.e., an RF Cellular system network) for establishing a persistent link between the RF communication device (20) and the remote system network (i.e., noted the service provider network base stations as shown in the Cellular networks communication) when the apparatus is first activated and thereafter whenever the processor (75) detects that the external networks is not available (i.e., see Figs. 6, steps 101-109; col. 6, lines 55- col. 7, lines 15), and moreover, the Korpela '283 suggested in col. 4, lines 24 that such a modification would provide better communication that best matches the user profile and terminal capability.

In view of the above, the Examiner continues to be of opinion that one skilled in the art at the time of the invention was made would have been prompted to combine the cited references for at least the reasons as discussed above.

Regarding claim 11, the Applicant alleged that Parulski '808 discloses nothing of transmitting a message to such a destination address.

In response, the Examiner disagrees because Parulski '808 clearly discloses in page 2, paragraphs 0017 and 0020, that the user can then select the desired "downstream services" (printing, e-mailing, and/or alburning) and compose the order using the options listed in Fig. 2. These services and options are accessed from the memory card 36. In view of this, the memory card 36 contains a destination address (i.e., the service provider's address) to allow the user to transmit the message (i.e., E-mailing message) to the selected destination address (i.e., the service provider 14) respectively.

Furthermore, the Applicant alleged that Parulski '808 nor Ward '215 disclose anything like the recipient code or "nickname" of the present invention as shown in present Figs. 8 and 9.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the present invention as shown in Fig. 8 and 9) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In this case, the claimed limitation such that "recipient code" is broad enough to read on the displayed "group name" and the appropriate user's e-mail accounts selected by the user during the transmission of the selected images as discussed col. 2, paragraphs 0022/0023+.

In addition, Parulski '808 discloses the use a previously defined "utilization" file as shown in Fig. 4 and the Appendix I for storing the respective previously defined "recipient code" therein (i.e., see line 69 of Appendix I), and the processor (29) is capable of using such code information to transmit message (i.e., E-mail messages), including at least the selected recipient

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code (i.e., "ALL") and one said digital image (i.e., see lines 70+ of Appendix I), to the destination address (i.e., see lines 58+ of Appendix I) via the communication network (31).

Moreover, Ward '215 teaches the use of notoriously well known RF communication device for delivering the digital photo as required by the present claimed invention, thus, the Examiner continues to be of opinion that one skilled in the art at the time of the invention was made would have been prompted to combine the cited references (i.e., Parulski '808 and Ward '215) for at least the reasons as set forth in details in the rejection below.

Regarding claim 15, in response to applicant's arguments against the references (i.e., Parulski '808, Ward '215 and Harkins) individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In response to applicant's argument (i.e., with respect to claim 15 as stated in page 35 of the remarks) that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "wireless devices that are not connected to the network"; "direct access message would be forwarded to the wireless digital camera") are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In this case, Harkins '642 reference is merely used to show that it is notoriously well-known to use message replay filter means (i.e., the distribution list 60 and the communication channels 62 of the server as discussed in col. 7, lines 55+) for receiving messages addressed to

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each of the wireless digital apparatus (i.e., noted that the messages may be addressed to each of the wireless digital apparatus of the clients as shown in Channels 62; see col. 6, lines 1+) and only forwarding to the wireless digital apparatus (i.e., col. 7, lines 50+) those messages which originate from an address that is authorized for a reply in said account configuration record associated with said wireless digital apparatus (i.e., noted from Figs. 2 and 3, that the specific distribution lists may be stored at the server 4, so that the message is only forwarded/replied to the authorized client indicated by the server's distribution list of Channels 62; see col. 7, lines 50).

In view of the above, the Examiner continues to assert that it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Parulski '808 as taught by Harkins '642. Since Harkins '642 suggests at column 4, lines 25+ that such a modification would improve data flow over a network by efficiently utilizing an information filter, and overloading the communication medium bandwidth over the network may be prevented.

Regarding claim 18, the Applicant stated that "Ward '215 does not disclose that the camera 10 contains any such server address".

In response, the Examiner disagrees because assuming that the Applicant's assertion is correct that the address of the server (14) is not stored in the camera (10), then the transmission of the tag images by the user as shown in Fig. 2 of Ward '215 would be impossible. As cleared by the teaching of Ward '215 that this is not true in this case. In fact, Ward '215 clearly discloses in page 2 that the memory (28/30) of the digital camera stored the predetermined address information (i.e., "utilization" file and the network configuration files) associated with

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the remote server (14), so that when the tag images shown in Fig. 2 is selected and “send” by the user, then such information will be transmitted to the corresponded to the selected address of the designated server.

Furthermore, the Applicant alleged that Squilla ‘537 does not transfer of preference/personality data from the server to the camera.”

In response, the Examiner disagrees because Squilla ‘537 clearly shown in Figs. 4 and 6 that the personal data form the server (70) can be transfer to the digital wireless device (24/26). More specifically, Squilla ‘537 discloses in col. 9, lines 5+ that the preference/personal data of the wireless device (24/26) is updated by the personal data stored in the data base (86) of the server (70) respectively. In view of this, the wireless device (i.e., the camera 24/26) can request the personal/preference data from the server (12/86; see col. 6, lines 40-45) via the communication links (74a/74b and 60) for updating. In view of this, the Examiner asserts that combination of Ward ‘215 and Squilla ‘537 does in fact disclose transmitting the user data (i.e., the user’s personality files) to the wireless device, and accordingly claim 18 is obvious over Ward ‘215 in view of Squilla ‘537 as set forth in the rejection below.

2. Applicant's arguments with respect to claims 30 and 31 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, ***published under section 122(b)***, by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 9, 10, 16, 17, 29, 33 and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Ward et al. (U.S. 2003/0142215 A1).

Regarding claim 9, Ward '215 discloses a wireless digital apparatus (i.e., see Figs. 1 and 2), comprising:

a processor (i.e., noted from Fig. 1 that the wireless apparatus 10 includes the processor element 34), a memory connected to said processor (i.e., noted that the storage devices 28 and 30 are coupled to the processor element 34 as shown in Fig. 1) contains at least a previous established configuration table and an address associated with a remote server (i.e., page 1, paragraphs 0012 and 0013),

user interface means (Fig. 1; the elements 24 and 26) connected to said processor (34) for displaying a list of recipient codes stored in said configuration table (i.e., noted that the recipient information such as keywords or icons in a menu 54 are displayed on the LCD display device; see page 2, paragraph 0014+) and receiving signal indicating user selection of at least one recipient code from the displayed list (i.e., noted that the processor 34 receives signals when the

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user selected the specific recipient via the user interface; see Fig. 2, the steps 52-56, page 2, paragraph 0014+);

an RF communications device (i.e., the communication interface 32) connected to said processor (i.e., Figs. 1 and 2, the elements 34 and 32); and processor control means (Fig. 1, the element 34), responsive to signals received from said user interface means (i.e., Fig. 2, steps 52-60), for transmitting one or more messages including at least one recipient code (i.e., see Figs. 3 & 4), via said RF communications device (i.e., see the menu 54 of Fig. 2) to said remote system (14) (i.e., see page 2, paragraphs 0014+).

Regarding claim 10, Ward '215 discloses a digital camera (Fig. 1; the element 10) connected to said processor (34), and where each message further includes at least one digital image captured by said digital camera (i.e., see Fig. 2; page 2, paragraph 0014+).

Regarding claim 16, Ward '215 discloses a method in a data processing system (i.e., Fig. 1) for transmitting a message to a remote system (14) associated with a predetermined address (i.e. noted the address stored in the network configuration file), comprising:

establishing a connection with a wireless network (i.e., as shown in Fig. 2, the camera is capable of establishing the communication with the remote server 14 by the using the appropriate communication means as shown in the menu 54) ;

displaying on a user interface component of the data processing system one or more predefined recipient codes (i.e., noted that the LCD 24 is capable of displaying the predefined recipient codes so that the user can select the specific keywords or icons via the user buttons 26; see page 2, paragraphs 0014+);

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receiving user input indicating selection of at least one displayed recipient code (i.e., noted that the CPU 34 is capable of receiving the user input when the user select the specific Icons or the specific recipient from the image utilization file form the LCD display 24; see page 2, paragraph 0014+);

formatting a message, including at least one selected recipient code (i.e., noted that the CPU 34 is capable of formatting a message as shown in Fig. 2 based on the user selections; see page 2, paragraph 0014); and transmitting said message (i.e., Fig. 2) via said wireless network (i.e., noted the use of Cellular and Satellite network as shown in Fig. 2) to said remote system (14).

Regarding claim 17, Ward '215 discloses the step of obtaining a digital image from a digital camera (10), and where said step of formatting a message further comprises including said digital image in said message (i.e., see Figs. 2, 3 and 4).

Regarding claim 29, Ward '215 discloses a method in a wireless digital camera apparatus (10) including at least a processor (34) connected to an RF communications device (32), a user interface (i.e., the element 26), and a memory (30/28), comprising the steps of:

a) displaying on the user interface (i.e., noted the LCD 24 and the user buttons 26 of the digital camera) representations of one or more recipients (i.e., noted the icons in a menu 54 as shown in Fig. 2) to whom one or more image are to be distributed (i.e., page 2, paragraph 0014);

b) receiving a first user input (i.e., noted that)indicating selection of a representation displayed on the user interface (i.e., the user input is receiving at the interface as shown in Fig. 2, the step 52; see page 1, paragraph 004, paragraph 005; page 2, paragraph 0014);

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c) selecting address data, corresponding to the representation indicated by the first user input, from a configuration table (i.e., noted the “network configuration” file contain a configuration table which is stored in the memory 28 or 30; see Figs. 3-4 and page 1, paragraph 0012 and 0013; page 2, paragraph 0014+); and

d) in response to each second user input from the user interface, 1) capturing a digital image, and 2) formatting a message including at least said image, and 3) transmitting said message via said RF communication device to a remote system associated with said address data (i.e., as shown in Fig. 2, the user can provide a send command at the step 58 for capturing a digital image provided at the step 50, and the captured image is formatted and transmitted in the steps 60-62).

Regarding claim 33, Ward ‘215 discloses a digital camera (10) comprising: a mechanism for forming one or more images (i.e., noted the CCD image sensor 22); and a distribution mechanism configured to distribute (i.e., noted the communication interface 32 and a network configuration file stored in the memory 28 or 30) the one or more images from the digital camera to another location by: displaying on a user interface component the digital camera (i.e., the LCD display 24 of the camera 10), graphic representations of one or more recipients to whom one or more images are to be distributed (i.e., as suggested in page 2, paragraph 0014, of Ward ‘215, the decision to transmit one or more images may be made by choosing one of the keywords or icons in menu 54 in Fig. 2, and the selected image can be tag with a specific code by using the “utilization” file so that the selected image is distributed to various recipients based on the user selection at the digital camera’s interface);

receiving user input indicating selection of a graphic representation displayed on the user interface (i.e., noted that the processor 34 is capable of receiving the user input which indicating the selection of specific icons or the recipients in order to tag the image with the service requested; see Fig. 2; and page 2, paragraphs 0014+);

storing, in the digital camera, data corresponding to the graphic representation indicated by the user input (i.e., noted that the memory 30 or 28 can store a network configuration file and the “utilization” file indicated by the user; see page 1, paragraph 0004, 0013; and page 2, paragraph 0014);

distributing the data, with the next image formed by the digital camera (10), to a networked computing device (14) (i.e., noted from Fig. 2, if the send command is not entered in the step 58, the digital camera 10 is allowed to form the next image, and the steps 60-64 shown that camera is distributing the data to the networked computing device 14 as claimed).

Regarding claim 35, Ward ‘215 discloses wherein the connection is established according to a wireless packet data protocol (i.e., see Fig. 2, the element 54).

3. Claims 21, 23, 24, 25, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Parulski et al. (U.S. 2003/0025808 A1).

Regarding claim 21, Parulski ‘808 discloses a method for archiving and distributing digital images using a digital apparatus (i.e., the camera 12, Kiosk 16 and the Service Provider 14) with wireless packet data network (i.e., noted the wireless communication network 31) access and image capture capabilities (i.e., the camera 12), comprising:

capturing digital images with the digital apparatus (i.e., the digital camera 12); transmitting a message including at least one digital image and at least one code to a predefined remote server (i.e., Figs. 1-5; page 3, paragraphs 0024+); parsing the message at the server (14) and processing (i.e., noted the CPU at the Service Provider 15) each image according to each code (i.e., noted that when the transmitted file are received at the remote server 14, the received data including a specific file name is parsed by the server computer to process the image data according to the specific code provided in the “utilization” file of the received data; see page 3, paragraphs 0024+).

Regarding claim 23, Parulski ‘808 discloses wherein processing the images further comprises:

selecting at least one set of recipients corresponding to at least one code to whom at least one image is to be send, each set including at least one recipient (i.e., noted from Figs. 2 and 4, the set of recipients “Family, Friends, etc.” and the specific code is provided in the “utilization” file to send the image to the recipient; page 2, paragraphs 0017, 0023; page 3, paragraphs 0025+).

Regarding claim 24, Parulski ‘808 discloses wherein said file name further includes an account identifier (i.e., see Figs. 4).

Regarding claim 25, Parulski ‘808 discloses a method for archiving and distributing digital image using a digital apparatus with wireless packet data network access and image capture capability (i.e., see Figs. 1-5), comprising the steps of:

capturing a digital image file and saving it in the apparatus memory (i.e., noted the memory 36 & 32 of the camera; the memory 52 of the server; and DRAM of device 16 as shown

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in Fig. 1) with a file name including at least one code (i.e., noted the specific file name as shown in Figs. 4-5; and see page 2, paragraphs 0023); transmitting said digital image file to a predefined remote server (i.e., page 2, paragraphs 0020+); parsing the file name at the server and processing the image according to each said code (i.e., noted that when the transmitted file are received at the remote server 14, the received data including a specific file name is parsed by the server computer to process the image data according to the specific code provided in the “utilization” file of the received data; see page 3, paragraphs 0024+).

Regarding claim 26, Parulski ‘808 discloses wherein said file name further includes an account identifier (i.e., see Figs. 4).

4. Claim 32 is rejected under 35 U.S.C. 102(e) as being anticipated by Squilla et al. (U.S. 6,396,537).

Regarding claim 32, Squilla ‘537 discloses a method for initializing a rental device with user preference data (i.e., noted the personality files stored in the rental camera 24 and the server 70 as shown in Fig. 2), comprising: establishing a user ID and associated user preference data on a server (i.e., col. 8, lines 5+); associating said rental device (24) with said user preference data (i.e., col. 6, lines 20 – 68; col. 7, lines 30+; col. 8, lines 5+ and col. 9, lines 5-20); and updating said rental device with at least some of said user preference data (i.e., Figs. 4-7; col. 8, lines 40-68)

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5. Claims 30 and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Enomoto et al. (U.S. 5,974,401).

Regarding claims 30, Enomoto '401 discloses a method in a data processing system (i.e., Figs. 1 and 3; the processor 11) for processing a digital image (i.e., noted the digital camera 21) at a location remotely located from the image captured location (i.e., noted the processor 11 and the server 12, 24 and 40 are remotely located from the image capture device 21) comprising:

a) receiving a digital image from a digital camera (i.e., noted that the image from the camera 21 is received at the processor 11; col. 6, lines 25+); and

b) in response to receiving each digital image, automatically performing the steps of:

(1) formatting a message (i.e., noted the print order data processing performed by the processor 11 as shown in Fig. 3; see col. 3, lines 65+ and col. 4, lines 40+), including at least said digital image and a pre-selected code (i.e., noted the pre-selected codes as discussed in col. 4, lines 38+ and col. 6, lines 20+), and

(2) transmitting said message to a remote server (12, 25 and 40) associated with a predetermined destination address (i.e., noted that the processor 11 is communicating with the remote server devices 12, 25 and 40 over the radio telephone lines 22 and the internet 23; and it is further stated in the Abstract that the print order data includes "delivery option data designating the way of delivery" and a particular photofinisher is designated, thus, the predetermined destination address must be provided in the system of Enomoto '401; see col. 2, lines 25+, col. 2, lines 65+, and col. 5, lines 55+); and

c) processing each said message on said remote server (12/40) according to data that is associated on said remote server with the code in said message (i.e., noted that the remote service

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provide 12 contains the processor 24 for processing the image data based on the specific code from the print order data; col. 4, lines 40+, col. 6, lines 20+, col. 7, lines 15+).

Regarding claim 31, Enomoto '401 discloses wherein said processing further including parsing the image from said message (i.e., noted that the print order data of the image data has to be parsed by the remote service provide 12 in order to fulfill the specific order col. 4, lines 40+, col. 6, lines 20+, col. 7, lines 15+) and printing the image at a location associated with the code (i.e., col. 7, lines 34+).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Safai '469 in view of Korpela et al. (U.S. 6,167,283).

Regarding claim 1, Safai '469 discloses a wireless digital camera apparatus (Figs. 6 and 7), comprising: a digital camera (100) including at least a processor, user interface, and a memory (Figs. 1-2, the elements' 110-116, 220, 212); an RF communications device connected to said processor (Fig. 2, the elements 214/208 and Fig. 7, the elements' 718; col. 6, lines 15+, col. 13, lines 10-30 and col. 18, lines 5-15); a remote server address stored in said memory (i.e.,

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the Internet addressing protocols and an electronic address, such as an electronic mail address that follows the Internet addressing format may be stored in the memory of the camera; see col. 8, lines 50+, and col. 9, lines 15+); and

processor control means (Fig. 2, the element 210) for a) establishing a persistent link between said RF communication device (i.e., noted that the communication port 214 is capable of establishing a persistent telecommunication link) of the camera and an external network (i.e., see Fig. 6; the elements 606 and 608), and b) in response to a signal from the user interface, 1) capturing digital images (col. 5, lines 30+ and col. 6, lines 1+), 2) formatting a message, including at least one said digital image (i.e., it is noted that image data captured by the Camera 236 and the information inputted as shown in Figs. 4A-4F must be formatted before transmitting to the remote server 606 and 608), and 3) transmitting a message, including at least one said digital image, via said RF communications device to a remote system (col. 12, lines 36+, col. 13, lines 10-30 and col. 18, lines 10+).

Furthermore, it is noted that Safai '469 shows the use of different RF links (i.e., col. 6, lines 5+ and col. 18, lines 5+) to establishing a communication link between the wireless communication device of the Camera 104 and the remote system (i.e., see Fig. 4) associated with the destination address (i.e., noted that the destination address of the server stored in the camera; see col. 8, lines 25+ and col. 9, lines 15+). In this case, although it is clearly that in order to successfully transmitting the message from the camera to the remote server, the persistent communication link between the camera (104) and the remote system (602/601 or 610) (i.e., whenever the camera is connected to the server) and the apparatus (104) is constantly established when the communication device of the camera is first turned on for transmission (i.e., noted that

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whenever the camera 104 is connected to the communication interface, the camera has to be turned on to download the image data to the remoter server), Safai '469 does not explicitly state "the communication link is established whenever the processor detect the external network is not available" as recited in present claimed invention.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Korpela '283. In particular, Korpela '283 teaches the use of a RF communication device (20) in a wireless digital camera (i.e., noted that the RF device 20 may be used as a digital camera as discussed in col. 8, lines 1-10) having processor control means (i.e. see Fig. 7, the elements 75) for establishing a persistent link between the RF communication device (20) and the remote system network (i.e., noted the service provider network base stations as shown in the Cellular networks communication) when the apparatus is first activated and thereafter whenever the processor (75) detects that the external networks is not available (i.e., see Figs. 6, steps 101-109; col. 6, lines 55- col. 7, lines 15).

In view of the above, having the system of Safai '469 and then given the well-established teaching of Korpela '283, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Safai '469 as taught by Korpela '283 so that it would provide better communication that best matches the user profile and terminal capability as suggested by Korpela '283 (i.e., see col. 4, lines 24+).

Regarding claim 2, the combination of Safai '469 and Korpela '283 discloses wherein said memory further includes at least one previously defined recipient code (i.e., noted that "recipient code" read on the user specified recipient name, such that "grandma" or "gwang" as shown in the E-mail address of Figs. 4e-4f, previously stored in the camera and defined by the

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user via the interface 416; see col. 9, lines 15+ of Safai '469) said user interface further comprises means for selecting a recipient code from in said memory (col. 9, lines 30+ and col. 13, lines 55+ of Safai '469), and said message further includes said recipient code (i.e., col. 13, lines 40+ and col. 14, lines 45+ of Safai '469).

Regarding claim 3, the combination of Safai '469 and Korpela '283 discloses wherein said user interface further comprises means for entering a recipient address, and said message further includes said recipient address (i.e., see Figs. 4A-4F; col. 9, lines 15+ of Safai '469).

Regarding claim 4, the combination of Safai '469 and Korpela '283 discloses wherein said means for entering a recipient address comprises a microphone and voice recognition module (i.e., the microphone 216 of Fig. 2 and noted the use of *voice commands* as discussed in col. 6, lines 26+ of Safai '469).

Regarding claim 5, the combination of Safai '469 and Korpela '283 discloses wherein said user interface further comprises means for selecting a classification for said digital image and wherein the message further includes said classification (i.e., noted from Figs. 4A-4F that user may select a classification for the digital image by either selecting the text information in the address entry field 414 or selecting a voice message to classify the digital image, and such classification data is transmitted along with the digital images to the remote server 601; col. 9, lines 4+ and col. 11, lines 26+ of Safai '469).

Regarding claim 6, the combination of Safai '469 and Korpela '283 discloses wherein said user interface further comprises means for creating a digital audio recording, and said message further includes said digital audio recording (i.e., col. 11, lines 26+ and Fig. 4D of Safai '469).

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Regarding claim 8, the combination of Safai '469 and Korpela '283 discloses wherein said memory further includes user identifier, and wherein said message further includes said user identifier (i.e., as shown in Figs. 4B and 5A and col. 9, lines 15+ the user may select a recipient code, the predetermined addresses stored in the internal table of the camera, by entering an address, and the auto-completion function retrieves the complete address from the internal table so that this address can be included with the transmitted message data; col. 12, lines 40+ and col. 13, lines 55+ of Safai '469).

7. Claims 27 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ward '215 (U.S. 2003/0142215) in view of Korpela '283 (U.S. 6,167,283).

Regarding claim 27, Ward '215 discloses a wireless digital camera (10) apparatus, comprising: a digital camera (10) including at least a processor (34), a user interface (24/26), and a memory (30/28); an RF communication device (i.e., the communication interface 32) connected said processor (34); a remote server address stored in said memory (i.e., page 1, paragraphs 0004 and 0013); and processor control means for: a) establishing a persistent link between the RF communication device (32) and an external network (i.e., the elements 14 & 40) when the apparatus is first activated (i.e., noted that the communication port 32 is capable of establishing a persistent telecommunication link by selecting appropriate available server networks as shown in Fig. 2, when the system is turned on for sending the data form the camera 10 to the external network 14/40); and

b) in response to a signal from said user interface, 1) capturing a digital image (i.e., see Fig. 2, page 2, paragraph 0014), 2) saving said image in said memory (30) with a file name

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including at least one predefined code (i.e., noted the use of a network configuration file and the “utilization” file as shown in Figs. 3 and 4), and 3) transmitting said image file to said remote server (14) via said external network (40) (see Fig. 2).

Furthermore, it is noted that Ward ‘215 shows the use of different RF communication links (i.e., see Fig. 2, noted the Cellular, CDPD and other radio communications as listed in the menu 54) to establishing a communication link between the wireless communication device of the Camera 10 and the remote system (i.e., 14/40) associated with the destination address (i.e., noted that the destination address stored in the memory 30 of the camera; see Figs. 3-4). In this case, although it is clearly that in order to successfully transmitting the message from the camera to the remote server, the persistent communication link between the camera (10) and the remote system (14/40) and the apparatus (10) must be constantly established when the communication device of the camera is first turned on for transmission (i.e., noted that whenever the camera 10 is connected to the communication interface, the camera has to be turned on to download the image data to the remoter server), Ward ‘215 does not explicitly state “the communication link is established whenever the processor detect the external network is not available” as recited in present claimed invention.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Korpela ‘283. In particular, Korpela ‘283 teaches the use of a RF communication device (20) in a wireless digital camera (i.e., noted that the RF device 20 may be used as a digital camera as discussed in col. 8, lines 1-10) having processor control means (i.e. see Fig. 7, the elements 75) for establishing a persistent link between the RF communication device (20) and the remote system network (i.e., noted the service provider network base stations as shown in the

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Cellular networks communication) when the apparatus is first activated and thereafter whenever the processor (75) detects that the external networks is not available (i.e., see Figs. 6, steps 101-109; col. 6, lines 55- col. 7, lines 15).

In view of the above, having the system of Ward '215 and then given the well-established teaching of Korpela '283, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Ward '215 as taught by Korpela '283 so that it would provide better communication that best matches the user profile and terminal capability as suggested by Korpela '283 (i.e., see col. 4, lines 24+).

Regarding claim 28, noted claim 28 is corresponding to claim 27, thus, claim 28 is rejected for the same reasons as set forth above for claim 27 (i.e., see the Examiner's comments with respect to claim 27 above).

8. Claims 11, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski '808 in view of Ward '215.

Regarding claim 11, Parulski '808 discloses digital photo delivery system (Fig. 1) comprising: at least one wireless digital camera (12) apparatus, wherein each said apparatus includes a processor (29); a memory (36, 32); and a destination address (i.e., page 2, paragraph 0016); and one or more previously defined recipient codes (i.e., page 2, paragraph 0016) stored in said memory (36/32); user interface means (i.e., the LCD 24 and the user buttons 26) connected to said processor for at least displaying one or more said recipient codes (i.e., page 2, paragraph 0017), and receiving signals indicating user selection of a displayed recipient code (i.e., noted that the processor 29 is capable of receiving a user selection signals input at the LCD

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24 via the user buttons 26); a digital camera means (i.e., the CCD image sensor 20 and the A/D converter 22) connected to said processor (29) for capturing one or more digital images in response to signals from said user interface means (noted that the digital sensor 20/22 is capable of capturing the digital images based on the signals provided by the user buttons 26); a communication device (i.e., the interface 28) connected to the processor (29); and processor control means (i.e., the CPU 29, the interface 28), responsive to signals received from said user interface means (26/24), for transmitting a message, including at least said selected recipient code, and one said digital image to said destination address via the communication device (i.e., page 2, paragraphs 0017 and 0020); and

a server (14) associated with said destination address (i.e., the e-mail address as shown in Figs. 2 and 4) and responsive to messages received at said destination address from each said wireless digital camera apparatus (12); server memory means (i.e., noted the memory card interface and the storage 52 of the Service Provider 14) for storing account configuration data (i.e., page 3, paragraphs 0024 and 0027); and server control means (i.e., noted the computer as shown in the Service Provider 14) for parsing said recipient code from each said message, and processing each said message according to account configuration data associated with said recipient code (i.e., noted that when the transmitted file are received at the remote server 14, the received data including a specific file name is parsed by the server computer to process the image data according to the specific code provided in the "utilization" file of the received data; see page 3, paragraphs 0024+).

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Furthermore, it is noted that although Parulski '808 discloses the use of a wireless communication device (28), Parulski '808 does not explicitly state that the communication device (28) is a RF communication device as recited in claim 11.

However, using the RF communication device in the digital photo delivery system is well known in the art as evidenced by Ward '215. In particular, Ward '215 teaches that it is desirable to use an RF communication device, such as Cellular, CDPD or Satellite as shown in Fig. 2 to enhance operability of the communication device as obvious to ordinary skill in the art at the time of the invention was made.

In view of the above, having the system of Parulski '808 and then given the well-established teaching of Ward '215, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Ward '215 by providing with a RF communication interface as taught by Ward '215, since Ward '215 suggest different type of RF communication devices are known to used with the digital camera to communication with the remote server device as shown in Fig. 2 so that user of the camera is provided with different type of RF communications thereby enhance operability of the communication device of the digital camera.

Regarding claim 13, the combination of Parulski '808 and Ward '215 discloses wherein said RF communications device comprises a wireless packet data transceiver (i.e., see Fig. 2-4 of Ward '215)

Regarding claim 14, the combination of Parulski '808 and Ward '215 discloses wherein said RF communications device comprises a modem (i.e., noted the modem 28 and 32 of Parulski '808 and Ward '215) capable of establishing a connection to an external network (14)

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according to at least two protocols (i.e., noted the different protocols as shown in Fig. 2 of Ward '215), and selects an appropriate protocol depending on external network availability (i.e., noted from Fig. 2 of Ward '215 that it is obvious to select an appropriate protocol depending on the availability as claimed).

9. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Parulski '808 in view of Ward '215 as discussed above and further in view of Harkins et al. (U.S. 5,689,642).

Regarding claim 15, although the combination of Parulski '808 and Ward '215 discloses wherein said server control means (i.e., the server 14 of both Parulski '808 and Ward '215 includes a control means to process the messages received therein) further comprises the account configuration record (i.e., the a network configuration files and the "image utilization" as shown in Figs. 3 and 4 of Ward '215 and Figs. 2 and 4 of Parulski '808), the combination of Parulski '808 and Ward '215 does not explicitly show message reply filter means for receiving messages addressed to each said wireless digital camera apparatus and only forwarding to said wireless digital camera apparatus those messages which originate from an address that is authorized for a reply in said account configuration record associated with said wireless digital camera apparatus.

However, the above-mentioned claimed limitations are well known in the art as evidenced by Harkins '642. In particular, Harkins '642 teaches that it is conventionally well-known to use message replay filter means (i.e., the distribution list 60 and the communication channels 62 of the server as discussed in col. 7, lines 55+) for receiving messages addressed to each of the wireless digital apparatus (i.e., noted that the messages may be addressed to each of

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the wireless digital apparatus of the clients as shown in Channels 62; see col. 6, lines 1+) and only forwarding to said wireless digital apparatus those messages which originate from an address that is authorized for a reply in said account configuration record associated with said wireless digital apparatus (i.e., noted from Figs. 2 and 3, that the specific distribution lists may be stored at the server 4, so that the message is only forwarded/replied to the authorized client indicated by the server's distribution list of Channels 62; see col. 7, lines 50).

In view of the above, having the system of Parulski '808 and then given the well-established teaching of Harkins '642, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Parulski '808 as taught by Harkins '642. Since Harkins '642 suggests at column 4, lines 25+ that such a modification would improve data flow over a network by efficiently utilizing an information filter, and overloading the communication medium bandwidth over the network may be prevented.

10. Claims 18-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ward et al. (US 2003/0142215 A1) in view of Squilla et al. (U.S. 6,396,537).

Regarding claim 18, Ward '215 discloses in a wireless device that includes an wireless/RF communication device (i.e., the device 36 and 32), a memory (i.e., noted the memory 28 & 30 of Fig. 1; see page 1, paragraph 0012+ and page 2, paragraph 0013) containing an address associated with a remote server (i.e., noted the remote computer 12 and the server 14), a processor (Fig. 1, the element 34), and a user interface means (Fig. 1, the element's 44 and 26), a method for updating the user data on the wireless device with user data modified on the remote server (i.e., Figs. 1 and 2; page 1,

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paragraph 0012; page 2, paragraph 0013), comprising: establishing a communication link between the wireless device and the server via the wireless communications device (Figs. 1 and 2; page 2, paragraph 0013+); and transmitting user data from the server to the wireless device (i.e., Fig. 1; page 1, paragraph 0012, page 2, paragraphs 0013+).

Furthermore, it is noted that although the user data updated on the remote computer (12), which can connected to the network 40 and the server 14, is transmitted to the wireless device (i.e., the camera 10) via a wireless communication, such as infrared signal as discussed in page 2, paragraph 0013+, and the wireless device also includes the RF communication interface 32, Ward '215 does not explicitly stated RF communication is used to establish a communication link between the wireless device and the server as recited in the present claimed invention.

However, it is obviously well known to use a RF communication device to establish the communication between the wireless device (i.e., the camera 10) and the remote server (i.e., the CPU 12 and the server 14) so that it would increase the communication range between the wireless device and the remote server. In particular, Squilla '537 teaches that the RF communication device can be used instead of using IrDA (infrared) interface to establish the communication between the wireless device (24) and the remote server (10/70) (i.e., col. 4, lines 20+).

In view of the above, having the system of Ward '215 and then given the well-established teaching of Squilla '537, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system of Ward '215 by replacing the infrared interface with a RF communication interface as taught by Squilla '537 so that the communication links between the digital camera and the remote system can be extended (i.e., noted that it is

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conventionally known that RF communication provide a wider communication range than the IrDA communication).

Regarding claim 19, the combination of Ward '215 and Squilla '537 discloses wherein said user data comprises at least message classification codes (i.e., noted the network configuration file as discloses in Ward '215 contain the classification codes as shown in Figs. 3 and 4; see page 2, paragraphs 0013+).

Regarding claim 20, the combination of Ward '215 and Squilla '537 discloses wherein said user data comprises at least a list of recipient codes (i.e., see Figs. 3-4 and page 2, paragraphs 0013+).

Allowable Subject Matter

11. Claims 34, 36 and 37 are allowed.

Conclusion

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period

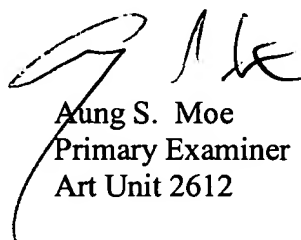
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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aung S. Moe whose telephone number is 703-306-3021. The examiner can normally be reached on Mon-Fri (9-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929 (or 571-272-7308). The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Aung S. Moe
Primary Examiner
Art Unit 2612

A. Moe
January 24, 2005